REMARKS

Applicant respectfully requests allowance of the subject application. Claims 1, 3-4, 6-10, 12-14, 16-22, 24, 26-27, 29-36, 38-39, 41-44, and 46-58 are pending, and the application is in condition for allowance. Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 and should be entered to place the application in form for appeal.

Teleconference with Examiner

Applicant appreciates the Examiner's time for our teleconference on September 8, 2008, and the Examiner's efforts to clarify pending issues to advance prosecution of the subject application. The subject matter of claims 1, 6-7, and 10 was discussed with respect to the Anick and Schirmer references.

Claim 1 recites "a visual query definition that includes a visual border to define a Boolean association". For example, Applicant's Fig. 5 illustrates a visual query definition (510) that includes a visual border (*e.g.*, a dashed border line) which indicates that query criteria (512) has an OR Boolean association (*Specification* ¶[0023]). The Examiner recognizes that Anick does not teach a visual query definition that includes a visual border (*Office Action* p.3), and cites to Schirmer at Fig. 1 for a visual query comprising a visual query definition that includes a visual border, such as the border (210a) (*Office Action* p.3).

However, the feature of a "visual border ***to define a Boolean association***", as recited in claim 1, has been overlooked. In Anick, the association of the query tiles are defined by their relative position to each other – not by any border. In Schirmer, the association of the query blocks is based on a logical operator positioned there between –

and again, not by a border (*Schirmer* col.3, lines 51-54). For discussion purposes, a combination of Anick and Schirmer would result in a border (*Schirmer* 210a) around the query tiles in Anick Fig. 2 in display area (224). However, the query tiles of Anick would still be defined by their relative position to each other, and not by the Schirmer border because the border is ***not*** what defines the Boolean association. Alternatively, the association of the query tiles in Anick would be based on a logical operator positioned between the tiles as in Schirmer. In any case, neither Anick, Schirmer, nor the combination thereof teaches or suggests a "visual border ***to define a Boolean association***", as recited in claim 1.

Claims 6-7 recite that an "additional visual query definition is displayed within the visual border of the visual query definition." For example, Applicant's Fig. 5 illustrates a visual query definition (504) that includes an additional visual query definition (510) displayed within the visual border of the visual query definition (504). The Examiner contends that Anick Fig. 2 has an 'invisible' border around the "BACKUP" and "saveset" query tiles, and that the 'invisible' border is a visual query definition displayed within a border of the general display area (224). Applicant respectfully disagrees with this reasoning. First, the Examiner has already recognized that Anick does not teach a visual query definition that includes a visual border (*Office Action* p.3). Second, an 'invisible' border that is ***not*** shown in any Figure or described in any context is not a basis to reject a "visual border", as positively recited in the claims. Third, the border of the general display area (224) and/or the query reformulation window (220) in Anick are not visual query definitions that include "a visual border ***to define a Boolean association*** between the first shape and the second shape that are both displayed within the visual border of the visual query definition", as recited in claim 1.

Claim 10 recites to "display the query result within the visual border of the visual query definition". For example, Applicant's Fig. 5 illustrates a query result (516) within a visual border of the visual query definition (504). The Examiner contends that Anick shows a "query result" in Fig. 2 as the number "15" in the rectangle tile identified by "BACKUP saveset". Applicant disagrees because the number "15" is not a query result, as recited in claim 10. Anick at col.8, lines 6-8 describes the number "15" as "the number of times each term was found in a most recent search of a database is displayed in the lower leftmost corner of each tile." The "number of times that a term is found in a database", as described in Anick, is not a "query result" as recited in claim 10. Further, Anick Fig. 2 already includes a Query Matches (234) in a completely separate display area (230). The "number of times that a term is found in a database", as described in Anick with reference to the number "15", is also not the Query Matches (234) result shown in Anick. Clearly, the "number of times that a term is found in a database", as described in Anick, is not a "query result" as recited in claim 10 or even the query result in Anick itself.

For at least the reasons described above, independent claims 1, 12, 24, 35, and 50, along with the respective dependent claims, are allowable over the Anick and/or Schirmer references. Accordingly, Applicant requests that the §103 rejection be withdrawn and the application allowed.

35 U.S.C. § 103 Claim Rejections

Claims 1, 3-4, 6-10, 12-14, 16-22, 24, 26-27, 29-36, 38-39, 41-44, and 46-58 are rejected under 35 U.S.C. §103(a) as being unpatentable over Anick *et al.* (U.S. Patent No.

5,175,814) in view of Schirmer *et al.* (U.S. Patent No. 6,768,997) (*Office Action* p.2). Applicant respectfully traverses the rejection.

Claim 1 recites a visual query system, comprising:

> query criteria of a query expression displayed as shapes that have a semantic relationship which represents logical associations between the query criteria, where a first shape of query criteria is displayed proximate a second shape of query criteria within ***a visual query definition that includes a visual border to define a Boolean association*** between the first shape and the second shape that are both displayed within the visual border of the visual query definition; …

Anick and/or Schirmer do not teach or suggest various features recited in claim 1, such as "a visual query definition that includes a visual border to define a Boolean association" between a first shape and a second shape, as recited in claim 1. The office recognizes that Anick does not teach "a visual query definition that includes a visual border", as recited in claim 1 (*Office Action* p.3). The Office cites to Schirmer at Fig. 1 for a visual query comprising a visual query definition that includes a visual border (*Office Action* p.3). However, Schirmer does not teach or suggest "a visual query definition that includes a visual border ***to define a Boolean association***", as recited in claim 1, and Schirmer fails to correct the deficiency of Anick.

Schirmer only describes that blocks (210a and 210b) have a logical operator (214a) provided between the blocks. Similarly, a block (210a) can include sub-blocks (206a and 206b) and a logical operator (212a) between the sub-blocks (*Schirmer* col.3, lines 22-27; Fig. 1). A Boolean operation is performed in accordance with the arrangement (*Schirmer* col.4, lines 48-49). Sub-blocks (206a and 206b), or blocks (210a and 210b) provide a graphical representation of a logical operation to be performed ***based on a logical operator positioned there between*** (*Schirmer* col.3, lines 51-54). Schirmer

clearly teaches away from a visual border ***that defines a Boolean association***, as recited in claim 1, because Schirmer relies on having a logical operator positioned between blocks to perform a logical operation.

Contrary to the need for a logical operator positioned between blocks as described in Schirmer, and contrary to the position-based association of the tiles described in Anick (*i.e.*, the association of the tiles are defined by their relative position to each other – not by any border), Applicant claims that a Boolean association between shapes is defined by a border which surrounds the shapes of a visual query definition. Accordingly, claim 1 is allowable over the Anick-Schirmer combination for at least the reasons described above, and Applicant requests that the §103 rejection be withdrawn.

Claims 3-4 and 6-10 are allowable by virtue of their dependency upon claim 1. Accordingly, claims 3-4 and 6-10 are allowable over Anick and the §102 rejection should be withdrawn. Additionally, some or all of claims 3-4 and 6-10 are allowable over Anick for independent reasons. For example:

Claims 6-7 recite that an "additional visual query definition is displayed within the visual border of the visual query definition." Anick does not show or disclose one visual query definition displayed within the visual border of another visual query definition, as recited in claims 6-7. As described in the previous Response filed April 14, 2008, the Examiner indicated that this subject matter was allowable over Anick. In the current action, the Office simply includes the recited claim language and cites to Schirmer at Fig. 1 (*Office Action* p.4). There is no indication as to how the Office is relying on Schirmer Fig. 1 to reject the features recited in claims 6-7, and as the Examiner is likely aware, claim rejections are required to be specific and the pertinence

of each reference, if not apparent, must be clearly explained. Further, there is no indication of a visual query definition displayed within a visual border of another visual query definition in Schirmer Fig. 1. Accordingly, claims 6-7 are allowable over the Anick-Schirmer combination for at least the reasons described above and the §103 rejection should be withdrawn.

Claim 10 recites to "display the query result within the visual border of the visual query definition on the user interface". Anick does not show or disclose a query result displayed within a visual border of a visual query definition on a user interface, as recited in claim 10. The Office only cites to Anick for a query result shown in Figs. 2-13 (*Office Action* p.6). However, Anick does not display a query result within a visual border of a visual query definition. Anick only shows, in Fig. 2 for example, a "query matches field" (234) that is displayed in a completely separate display area (230) from the query window (220) described above in response to the rejection of claim 1. Clearly, Anick does not show a query result that is also displayed within the visual border of a visual query definition, as recited in claim 10.

The Examiner also contends that Anick shows a "query result" in Fig. 2 as the number "15" in the rectangle tile identified by "BACKUP saveset". Applicant disagrees because the number "15" is not a query result, as recited in claim 10. Anick at col.8, lines 6-8 describes the number "15" as "the number of times each term was found in a most recent search of a database is displayed in the lower leftmost corner of each tile." The "number of times that a term is found in a database", as described in Anick, is not the "query result" that is recited in claim 10. Further, Anick Fig. 2 already includes a Query Matches (234) in a completely separate display area (230). Accordingly, claim 10 is

allowable over the Anick-Schirmer combination for at least the reasons described above and the §103 rejection should be withdrawn.

Independent Claims 12, 24, 35, and 50 are also allowable over Anick and/or Schirmer for at least the reasons described above in response to the rejection of claim 10. For example:

Claim 12 recites to "display the query result of the query expression within the visual border of the visual query definition". The Office only cites to Anick and, as described above with reference to claim 10, Anick does not show a query result displayed within the visual border of a visual query definition.

Claim 24 recites "a query result displayed within the visual border of the visual query definition". As described above with reference to claim 10, Anick does not show a query result displayed within the visual border of a visual query definition.

Claim 35 recites "displaying a query result of the query expression within the visual border of the first visual query definition". As described above with reference to claim 10, Anick does not show a query result displayed within the visual border of a visual query definition.

Claim 50 recites to "display the query result within the visual border of the visual query definition". As described above with reference to claim 10, Anick does not show a query result displayed within the visual border of a visual query definition.

Accordingly, independent claims 12, 24, 35, and 50, along with the respective dependent claims, are allowable over Anick and/or Schirmer for at least the reasons described above and the §103 rejection should be withdrawn.

Conclusion

Pending claims 1, 3-4, 6-10, 12-14, 16-22, 24, 26-27, 29-36, 38-39, 41-44, and 46-58 are in condition for allowance and Applicant respectfully requests issuance of the subject application. If any issues remain that preclude issuance of the application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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